

MINUTE ORDER

CASE NUMBER: CRIMINAL NO. 18-00039 LEK

CASE NAME: USA vs James Wayne Shamblin

JUDGE: Leslie E. Kobayashi

DATE: 12/15/2020

COURT ACTION: EO: COURT ORDER GRANTING IN PART AND DENYING IN PART DEFENDANT'S MOTION TO RECONSIDER ORDER STRIKING ALL DEFENDANT'S REPLIES TO OPPOSITIONS TO MOTIONS IN LIMINE (DKT NO 463), AND FOR LEAVE TO PERMIT DEFENDANT TO FILE REPLIES TO OPPOSITIONS

On December 11, 2020, *pro se* Defendant James Wayne Shamblin ("Shamblin"), by and through his stand-by counsel, filed his Motion to Reconsider Order Striking All Defendant's Replies to Oppositions to Motion in Limine (Dkt No 463), and for Leave to Permit Defendant to File Replies to Oppositions ("Motion"). [Dkt. no. 473.] The Motion has been considered as a nonhearing matter, pursuant to Local Rule 7.1(d). For the reasons as stated more fully below, the Motion is granted in part and denied in part.

On October 16, 2020, the Stipulation to Amend the Motions-in-Limine Deadlines ("Stipulation") was signed by the Court and issued, setting a deadline for memoranda in opposition to the motions in limine of December 2, 2020, and a reply deadline of December 9, 2020. [Dkt. no. 321.]

The Motion is GRANTED to the extent all timely replies regarding motions in limine will be accepted and considered. Replies that were in Shamblin's counsel's possession on December 9, 2020 but not filed will be considered timely, provided that Shamblin's counsel provides a declaration to that effect, and they may be filed immediately. However, the Motion is DENIED to the extent that Shamblin seeks leave to file additional replies after the December 9, 2020 deadline. See United States v. W.R. Grace, 526 F.3d 499, 516 (9th Cir. 2008) (stating that district courts have the inherent authority to manage their own dockets). Motions in limine that have already been ruled upon will be reconsidered in light of any timely replies.

IT IS SO ORDERED.

Submitted by: Agalelei Elkington, Courtroom Manager